

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 09-70326

CLAUDETTE LEE, *pro se*,

Chapter 7

Debtor.

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Judge Thomas J. Tucker.

**ORDER DENYING DISCHARGE**

On October 20, 2009, the Court entered an “Order to Show Cause Why Debtor is Entitled to a Discharge,” requiring Debtor to “appear . . . and show cause why the debtor(s) is entitled to discharge in view of 11 U.S.C. § 727(a)(8) and § 727(a)(9).” The Court held a hearing on this matter on November 4, 2009. The Debtor, who is not represented by an attorney in this case, appeared at the hearing. During the hearing, the Court determined that Debtor cannot obtain a discharge under Chapter 7 in this case, in view of 11 U.S.C. § 727(a)(8), because Debtor received a Chapter 7 discharge in a case commenced within 8 years before the date of the filing of the petition for relief in this case.<sup>1</sup> The Court also decided to delay the entry of an order actually denying the Debtor’s discharge, until after November 18, 2009, in order to give Debtor an opportunity to seek legal advice and representation and, if she wishes to do so, to file a motion to convert this case to Chapter 13. The Court’s ruling was reflected in the Order filed on November 4, 2009, which gave Debtor through November 18, 2009 to file a motion to convert this case to Chapter 13, if Debtor wished to convert the case (Docket # 20).

The Debtor has not filed a motion to convert this case to Chapter 13. Accordingly,

IT IS ORDERED that Debtor’s discharge is DENIED.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(1), the automatic stay under § 362(a) continues with respect to any act against property of the estate, until such property is no longer property of the estate; or until such stay terminates under some other provision of the Bankruptcy Code; or until the Court orders otherwise.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(2)(C), the automatic stay under § 362(a) of any act other than an act against property of the estate is terminated.

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<sup>1</sup> Debtor received a Chapter 7 discharge in Case No. 03-42219 on May 2, 2003. That case was filed in this Court on January 24, 2003.

**Signed on November 21, 2009**

**/s/ Thomas J. Tucker**

**Thomas J. Tucker  
United States Bankruptcy Judge**